

Appl. No. : **09/557,278**
Filed : **April 24, 2000**

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

Claims 1-15 remain rejected over Virga. This contention remains respectfully traversed, for reasons set forth in the previous response.

Referring first to the response to arguments, on page 3 of the official action, in the first paragraph the Patent Office differs with applicant's statement that "Virga teaches images on paper are encrypted". The Examiner disagrees, stating that the entire document could be handwritten". However, this counterargument is not understood, since a handwritten document on paper, is still an image on paper. Applicant agrees that Virga formats a file to produce a bitmap; however, with all due respect, this is different than what is claimed. Claim 1, for example, defines formatting the text containing information to form an electronic file representing formatted and encrypted information. Claim 9 defines formatting a text containing file into a form for display...". Nowhere does Virga teach such an electronic file, or such operations being carried out on an electronic file. The statement that the entire document could be handwritten makes the point exactly; that a handwritten paper is certainly not an electronic file. Virga suggests that paper can be scanned, but never suggests that the scan (e.g. a bitmap), is formatted.

With regards to the second paragraph, this again ignores the specific claim language. Virga does not use the formatting information to format the text and produce an electronic file. Rather, Virga prints the text and then scans it. The bitmap is clearly

Appl. No. : 09/557,278
Filed : April 24, 2000

an electronic file, but it is not an electronic file produced by formatting the text information into a format for display to form the electronic file, as claimed.

Turning to the third paragraph, this points to columns 6 lines 29-31, which discusses scanning. Scanning and formatting are two entirely different things. This is simply common sense. No one would think that "scanning" a document was the same as "formatting" a document. The rejection states that Virga describes determining an arrangement of data for storage or display, however, Virga simply teaches printing and then scanning. He teaches nothing about formatting information into an electronic file as claimed.

The undersigned certainly understands that the Patent Ooffice is allowed to take the broadest reasonable interpretation of any claim language. However, at some point, Applicant has to be able to rely on the words meaning something. Here, the claims define forming an electronic file from the formatting. This not the same as printing and document and then scanning it. With all due respect, this twists the words so much, that it bends them have effectively no meaning whatsoever.

For these reasons, and others set forth herein, the rejection of claims 1-15, under 35 U.S.C. 102(b), as allegedly being anticipated by Virga, is respectfully traversed. Virga teaches that images on paper are scanned, and then the scan file is encrypted. Virga shows a document encryption operation by printing the document, scanning the document, and encrypting that optically scanned document, e.g. encrypting the bitmap. In contrast, the system defined by claim 1 uses text information and formatting information to format the text and produce an electronic file. This is completely different than the paper-based system used in Virga.

Appl. No. : 09/557,278
Filed : April 24, 2000

Virga never teaches or suggests formatting information. Rather, Virga starts with information on paper. It can be, as the rejection suggests, that this information on paper could be handwritten, or could be printed, or whatever. The point is, that Virga does not format the text containing information into a format for display to form an electronic file representing this.

Therefore, claim 1 should be allowable along with the claims which depend therefrom.

Claim 9 should be allowable, since it defines formatting the text containing file into a display formatted form for display, and coding that. This is even further allowable. Virga's scanning certainly could not be read on the formatting of a text containing file.

Claim 14 defines anti-stitching, which is further distinguished over the cited prior art. The response to arguments tries to read the anti-stitching on a password. However, this misses the point entirely. The encryption of an image by stitching would involve trying to find parts of the image that fit together. This has nothing to do with a password, and Virga teaches nothing about anti stitching.

The rejections based on indefiniteness of claim 9 have been obviated herein by amendment.

The rejection of claim 14 is respectfully traversed. The specification describes how one way of attempting deencryption is an attempt to stitch together different parts of the lines. Pages 14 line 13 through page 15 lines 22, and other comparable places, describe different ways in which this can be done. The way in which something like this

Appl. No. : **09/557,278**
Filed : **April 24, 2000**

is carried out need not be part of the claim, since it is disclosed in the specification.

Therefore, the rejection of claim 14 is respectfully traversed.

Entry of the amendment to claim 9 after final is believed proper, since this merely corrects an obvious error of antecedence. A notice of appeal is concurrently filed, and it is also respectfully submitted that this amendment places the case in better condition for appeal.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Therefore, and in view of the above amendments and remarks, all of the claim should be in condition for allowance. A formal notice to that effect is respectfully solicited.

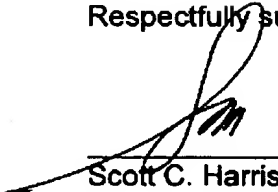
Appl. No. : 09/557,278
Filed : April 24, 2000

Please charge any fees due in connection with this response to Deposit Account

No. 50-1387.

Respectfully submitted,

Date: 10/7/04



Scott C. Harris
Reg. No. 32,030

Customer No. 23844
Scott C. Harris, Esq.
P.O. Box 927649
San Diego, CA 92192
Telephone: (619) 823-7778
Facsimile: (858) 678-5082

Concurrently filed: Notice of Appeal.